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In re Application of
Ke-Wen Dong, et al.
Application No. 09/252,828
Filed: February 19, 1999
Attorney Docket No. 024754/0114

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed February 28, 2001, to revive the above-identified application which is being treated as a Petition to Withdraw the Holding of Abandonment.

The petition is **GRANTED**.

A Letter of Non-Responsive Amendment was mailed to applicant on January 3, 2001 setting a one month time limit within which to respond (extensions of time under 37 CFR 1.136 are permitted). Applicant submitted a response on February 5, 2001. A Notice of Abandonment was mailed February 16, 2001 stating that applicant failed to comply with the two notices of non-responsive amendment, dated September 12, 2000 and January 3, 2001. Although the response was not accepted, applicant remains within the extendable time period. Accordingly, this application was erroneously held abandoned. The \$620 fee for filing an unintentional petition is unnecessary and has not been charged to petitioner's deposit account. However, a fee of \$55 for the one month extension of time has been charged to petitioner's deposit account as authorized.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-9282.

The application file is being forwarded to Technology Center 1600.

Marianne E. Morgan
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy